

House File 2464

H-8144

1 Amend House File 2464 as follows:

2 1. Page 1, before line 1 by inserting:

3 <Section 1. Section 232.68, subsection 2, paragraph a,  
4 subparagraph (5), Code 2022, is amended to read as follows:

5 (5) ~~The acts or omissions of a person responsible for the~~  
6 ~~care of a child which allow, permit, or encourage the child to~~  
7 ~~engage~~ engaged in acts prohibited pursuant to [section 725.1](#).  
8 Notwithstanding [section 702.5](#), ~~acts or omissions under this~~  
9 ~~subparagraph include an act or omission referred to in this~~  
10 ~~subparagraph with or to a person~~ applies to a child under the  
11 age of eighteen years.>

12 2. Page 1, before line 5 by inserting:

13 <\_\_. "Court records" means the same as defined in Iowa court  
14 rule 20.1(2).>

15 3. Page 1, line 15, after <record> by inserting <and  
16 associated court records>

17 4. Page 2, line 8, by striking <and> and inserting <or>

18 5. Page 2, by striking line 12 and inserting <attorney's  
19 office, a law enforcement agency, or a local victim services  
20 agency to be>

21 6. Page 2, line 28, after <record> by inserting <and  
22 associated court files>

23 7. Page 3, line 6, by striking <record that is> and  
24 inserting <record and associated court records that are>

25 8. Page 3, line 7, by striking <a confidential record> and  
26 inserting <confidential records>

27 9. Page 3, line 9, after <record> by inserting <and  
28 associated court records>

29 10. Page 3, line 23, by striking <has> and inserting <and  
30 associated court records have>

31 11. Page 3, line 24, by striking <a confidential record> and  
32 inserting <confidential records>

33 12. Page 4, line 6, by striking <record that is> and  
34 inserting <record and associated court records that are>

35 13. Page 4, line 8, after <record> by inserting <and

1 associated court records>

2 14. Page 4, line 12, after <record> by inserting <and  
3 associated court records>

4 15. Page 4, line 16, after <record> by inserting <and  
5 associated court records>

6 16. Page 4, by striking line 24.

7 17. By striking page 4, line 27, through page 5, line 1.

8 18. Page 5, line 16, after <record> by inserting <and  
9 associated court records>

10 19. Page 5, line 22, after <record> by inserting <and  
11 associated court records>

12 20. Page 5, after line 22 by inserting:

13 <Sec. \_\_\_\_\_. Section 725.1, subsection 1, paragraphs b and c,  
14 Code 2022, are amended to read as follows:

15 *b.* If the person who sells or offers for sale the person's  
16 services as a partner in a sex act is under the age of eighteen,  
17 ~~the county attorney may elect, in lieu of filing a petition~~  
18 ~~alleging that the person has committed a delinquent act, to the~~  
19 person shall not be arrested, charged, or prosecuted for an  
20 offense under this section. A peace officer who encounters a  
21 person under the age of eighteen engaged in a violation of this  
22 section may take custody of the person under section 232.78  
23 or 232.79. The peace officer shall refer that the person to  
24 the department of human services for the possible filing of  
25 a petition alleging that the person is a child in need of  
26 assistance.

27 *c.* If ~~the a person who sells or offers for sale the person's~~  
28 ~~services as a partner in a sex act is~~ under the age of eighteen  
29 has been convicted of a violation under paragraph "a", upon  
30 the expiration of two years following the person's conviction  
31 for a that violation of paragraph "a" or of a violation of a  
32 similar local ordinance, the person may petition the court to  
33 expunge the conviction, and if the person has had no other  
34 criminal convictions, other than local traffic violations  
35 or simple misdemeanor violations of [chapter 321](#) during the

1 two-year period, the conviction shall be expunged as a matter  
2 of law. The court shall enter an order that the record of the  
3 conviction be expunged by the clerk of the district court.  
4 Notwithstanding [section 692.2](#), after receipt of notice from  
5 the clerk of the district court that a record of conviction  
6 for a violation of paragraph `a` has been expunged, the record  
7 of conviction shall be removed from the criminal history data  
8 files maintained by the department of public safety.>

9 21. Title page, line 2, after <trafficking,> by inserting  
10 <child abuse and minors engaged in prostitution,>

11 22. By renumbering, redesignating, and correcting internal  
12 references as necessary.

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HOLT of Crawford